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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,302	11/21/2001	Youichi Yamamoto	50023-158	9502

20277 7590 03/16/2004  
MCDERMOTT WILL & EMERY  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

EXAMINER
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PEYTON, TAMMARA R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 03/16/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/989,302

Applicant(s)

YAMAMOTO ET AL.

Examiner

Tammara R Peyton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by *Radko*, (US 5,687,392).

As per claims 1, 6, 7, and 8, *Radko* teaches a data transfer device ((DMA, 310/Floppy disk driver, 380, of main memory area, 330, Fig.3) which comprises:

acquisition means (inherent) for acquiring area information including an area address and area length on the basis of an address of an area table in which plural pieces of said area information are written when an instruction requesting data transfer

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to specify the address of the area table as destination of requested data transfer is issued,

transfer information setting means (inherent) for setting transfer information including an address of transfer source, a transfer data length and address of transfer destination of data on the basis of said area information of area as transfer destination area,

judging means (Fig. 5) for judging whether said transfer destination area and other area form a continuous area where plural areas are consecutive,

transfer information changing means (Fig. 4) for changing said transfer information according to said continuous area when it is judged by said judging means that said transfer destination area and other area form said continuous area, and

data transfer control means for controlling the transfer of data on the basis of said transfer information. (*Radko*, Abstract, col. 2, lines 43-col. 5, lines 1-31)

*Radko* teaches a data transfer device controller (DMA, 310/Floppy disk driver, 380, Fig. 3) that receives a request for a data transfer from application program. The data transfer request is initiated by a processor, 340 by way of DMA, controller, 310 (col. 6, lines 40-46). The data transfer device controller inherently sets an address of transfer source (Floppy Disk, 321) and a transfer data length. Further, *Radko* teaches setting address information that includes the destination of the transfer. The destination area could be in a single (335), first (337), or second (338) physical memory region, wherein the first and second physical memory region could be allocation additional

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transfer buffer space. (387, Fig.3) Further, each destination area is assigned a user buffer (334 and 336, Fig. 3) *Radko* teaches selecting a destination area (buffer) and determining whether the selected destination area is of suitable size for the transfer request. (420, Fig. 4) If it is determined that the selected destination area is not of suitable size then additional transfer buffer space is allocated. (440, Fig. 4) Next, it is determine whether the selected destination area has assigned to it a continuous area (physical memory region) where plural areas are consecutive. (510, Fig.5) If it is determined that the selected destination area is not a continuous area then another destination area (first, 337 or second, 338 physical memory region) is selected. If it is determined that the selected destination area has a continuous area transfer information is changed to identify the mapped consecutive physical memory address of the selected destination area and the transfer of data is performed on the basic of said transfer information. (col. 7, lines 20-col. 9, lines 1-24)

As per claims 2, 3, and 4, *Radko* inherently teaches changing the transfer information if the destination area and the other area are consecutive.

***Allowable Subject Matter***

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (703) 306-5508. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window

Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202 Crystal Park II, 2121.



Tammara Peyton

March 12, 2004